

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

SIMPLEAIR, INC.

Plaintiff

v.

MICROSOFT CORPORATION, ET AL.

Defendants.

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Civil Action No. 2:11-CV-416-MHS

**DEFENDANTS' NOTICE OF COMPLIANCE REGARDING LETTER BRIEF  
SEEKING PERMISSION TO FILE MOTION FOR SUMMARY JUDGMENT OF  
INVALIDITY OF THE '914 PATENT BASED ON FAILURE TO MEET THE  
WRITTEN DESCRIPTION REQUIREMENT REGARDING THE "DATA CHANNEL"  
LIMITATION**

In compliance with the Court's Standing Order regarding Letter Briefs, Defendants file this Notice of their Letter Brief to the Court seeking permission to file a motion for summary judgment of invalidity **based on failure to meet the written description requirement regarding the "Data Channel" Limitation.** A copy of the letter is attached as Exhibit 1.

DATED: August 19, 2013

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on August 19, 2013, a copy of the foregoing was served via email on counsel of record.

/s/ Melissa Richards Smith